

Notice of Allowability

Application No.

10/524,675

Examiner

Hanh Phan

Applicant(s)

YASUE ET AL.

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 02/14/2005.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


HANH PHAN
PRIMARY EXAMINER

DETAILED ACTION**1. REASONS FOR ALLOWANCE:**

Claims 1-18 are allowable because the instant application is directed to an nonobvious improvement over the invention in patent No. 5,896,211 to Watanabe. The improvement comprises an optical transmission system having: a transmitter for converting a frequency division multiplexed signal to an optical signal and sending the optical signal onto an optical transmission path, the frequency division multiplexed signal being composed of first to n^{th} modulated signals (where n is an integer which is equal to or greater than two) having been subjected to a frequency division multiplex; a receiver for converting the optical signal having been transmitted over the optical transmission path back into the frequency division multiplexed signal, and separating the frequency division multiplexed signal into the first to n^{th} modulated signals; and first to n^{th} terminal devices which are connected to the receiver via the first to n^{th} connection lines, respectively, for receiving the separated modulated signals, the system comprising: a peak detection section for detecting peak information concerning a peak of a signal level of the frequency division multiplexed signal; a spurious calculation section for, based on the peak information detected by the peak detection section, calculating desired-to-undesired-signal information of the frequency division multiplexed signal, and determining signal level information concerning a signal level for the frequency division multiplexed signal which ensures that the desired-to-undesired-signal information is equal to or greater than a predetermined level; and a gain adjustment section provided in the transmitter for, based on the signal level information determined

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by the spurious calculation section, adjusting the signal level of the frequency division multiplexed signal when being converted to the optical signal. This patentable distinction is included in independent claims 1 and 16-18.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Watanabe (US Patent No. 5,896,211) discloses optical transmission system.

Maeda et al (US Patent No. 5,351,148) discloses optical transmission system.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Phan whose telephone number is (571)272-3035.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan, can be reached on (571)272-3022. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.


HANH PHAN
PRIMARY EXAMINER